



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO
09 869,819	07 05 2001	Tatsuo Itabashi	450108-02836	1317

20999 7590 08 07 2003

FROMMER LAWRENCE & HAUG  
745 FIFTH AVENUE- 10TH FL.  
NEW YORK, NY 10151

EXAMINER

NOWLIN, APRIL A

ART UNIT PAPER NUMBER

2876

DATE MAILED: 08 07 2003

Please find below and/or attached an Office communication concerning this application or proceeding.

AK

# Office Action Summary

Application No.

09/869,819

Applicant(s)

ITABASHI ET AL.

Examiner

April A. Nowlin

Art Unit

2876

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133)
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b)

## Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-16 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☒ All b) ☐ Some \* c) ☐ None of:
- ☒ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).  
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 4,5
- ☐ Interview Summary (PTO-413) Paper No(s) \_\_\_\_
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other:

.Art Unit: 2876

## **DETAILED ACTION**

### ***Priority***

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

### ***Specification***

2. The abstract of the disclosure is objected to because it contains legal phraseology such as "means" (see lines 3, 5, and 6). Correction is required. See MPEP § 608.01(b).
3. The disclosure is objected to because of the following informalities:  
  
On page 8, line 10: Substitute "give" with – given --.  
  
On page 13, line 23: Substitute "basid" with – basic --.  
  
Appropriate correction is required.
4. The lengthy specification has not been checked to the extent necessary to determine the presence of all possible minor errors. Applicant's cooperation is requested in correcting any errors of which applicant may become aware in the specification.

### ***Claim Rejections - 35 USC § 102***

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

,Art Unit: 2876

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. Claims 1-16 are rejected under 35 U.S.C. 102(b) as being anticipated by Ozawa et al (US 5,533,113), cited by the applicant.

Re claims 1, 8, 14, and 16: Ozawa et al discloses an information communication system comprising:

a terminal 3 which is carried by a user and originates individual identification information of the user that is given in advance (see col. 2, lines 49-50 and col. 3, lines 51-58);

communicating means 2 having a communicating function of performing communication with outside via a predetermined communicating line, for receiving the individual identification information originated from the terminal 3; and

managing means 1 for storing and managing the individual identification information, which is communicated from the communicating means through the predetermined communicating line, in connection with the communicating means, when the communicating means receives the individual identification information, and wherein the managing means accesses the user via the communicating means accessible, on the basis of the individual identification information designated by the outside. (See col. 1, line 52 to col. 2, line 8; col. 2, line 39 to col. 3, line 9; col. 8, lines 21-59)

Art Unit: 2876

Re claims 2 and 9, wherein the managing means controls the communicating means at predetermined time intervals (see col. 4, lines 10-40).

Re claim 3, wherein the communicating means controls the terminal at predetermined time intervals (see col. 4, lines 46-60).

Re claims 4 and 10, wherein there is a plurality of communicating means accessible to the user; and wherein the managing means accesses each of the communicating means, through the predetermined communicating line, on the basis of the individual identification information designated by the outside (see col. 3, line 29 to col. 4, line 40).

Re claims 5, 11, and 15; wherein the communicating means receive only the predetermined individual identification information set in advance.

Re claims 6 and 12, wherein the terminal 4 comprises an IC card recording the individual identification information; and originating means for reading the individual identification information from the IC card, and originating the read individual identification information and wherein the IC card protects the reading out of the recorded individual identification information using a predetermined pass word set in advance (see col. 3, lines 51-59 and col. 4, lines 46-60).

Re claims 7 and 13, wherein the communicating means informs the managing means of the individual identification information when a predetermined password set in advance is inputted.

**Conclusion**

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Foladare et al (US 6,125,176) discloses a method and system for routing calls based on conditions of electronic devices; and Nelson (US 6,496,568) discloses method and apparatus for providing automated notification to a customer of a real-time notification system.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to April A. Nowlin whose telephone number is (703) 605-1219. The examiner can normally be reached on Monday - Friday from 6:30AM - 4:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael G. Lee can be reached on (703) 305-3503. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 308-7722 for regular communications and (703) 308-7382 for After Final communications.

Communications via Internet e-mail regarding this application, other than those under 35 U.S.C. 132 or which otherwise require a signature, may be used by the applicant and should be addressed to [april.nowlin@uspto.gov].

All Internet e-mail communications will be made of record in the application file. PTO employees do not engage in Internet communications where there exists a possibility that sensitive information could be identified or exchanged unless the record includes a properly signed express waiver of the confidentiality requirements of 35 U.S.C. 122. This is more clearly set forth in the

Art Unit: 2876

Interim Internet Usage Policy published in the official Gazette of the Patent and Trademark on February 25, 1997 at 1195 OG 89.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.



AAN  
July 27, 2003



THIEN M. LE  
PRIMARY EXAMINER